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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/658,348
Filing Date	September 8, 2003
First Named Inventor	Stephen D. Pacetti
Group Art Unit	1762
Examiner Name	Erma C. Cameron
Attorney Docket Number	50623.332

Total Number of Pages in This Submission

14

ENCLOSURES (check all that apply)

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Deposit Account 07-1850 Authorization | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Postage Paid Return Postcard | <input type="checkbox"/> Drawing(s) Formal ___ Sheets with Submission of Formal Drawings | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Response To Final Office Action (11 pages) | <input type="checkbox"/> Issue Fee Transmittal with PTO-85b (in duplicate) | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> Amendment Transmittal Letter (1 page) (in duplicate) | <input type="checkbox"/> Request for Continued Examination Transmittal (RCE) | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Request for Status of Application |
| <input type="checkbox"/> Petition for Extension of Time (___ month) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Information Disclosure Statement (in duplicate) with Form PTO-1449 citing ___ References | <input type="checkbox"/> Terminal Disclaimer | |
| <input checked="" type="checkbox"/> Express Mail Label No. EV 687138620 US | <input type="checkbox"/> Statement of Common Ownership | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Squire, Sanders & Dempsey L.L.P. Song Zhu, Ph.D., Reg. No. 44,420
Signature	
Date	May 31, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: May 31, 2006

Typed or printed name Rebecca M. Klits

Signature

Date

May 31, 2006

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AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Stephen D. Pacetti et al.

Docket No.

50623.332

Serial No.

40/658,348

Filing Date

September 8, 2003

Examiner

Erma C. Cameron

Group Art Unit

1762

Invention

A Method Of Forming A Diffusion Barrier Layer For Implantable Devices

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.


The fee has been calculated and is transmitted as show below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	31	31	0	X \$50.00	\$00.00
INDEP. CLAIMS	4	4	0	X \$200.00	\$000.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$00.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$00.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. **07-1850** in the amount of \$
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any necessary fees associated with this communication or credit any overpayment to Deposit Account No. **07-1850**.
A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 C.F.R. 1.17.

Dated: May 31, 2006
Squire, Sanders & Dempsey L.L.P.
1 Maritime Plaza, Suite 300
San Francisco, CA 94111
(415) 954-0200


Song Zhu, Ph.D.
Reg. No. 44,420

cc: Docket:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen D. Pacetti et al.	Examiner: Erma C. Cameron
Appl. No. 10/658,348	Art Unit: 1762
Filed: September 8, 2003	
Title: A Method Of Forming A Diffusion Barrier Layer For Implantable Devices	

Mail Stop **Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

In response to the Notice of Non-Compliant Amendment dated May 24, 2006, claims 33-58 have been modified to include the correct status identifier. No other changes to the Amendment filed March 24, 2006, have been made. Please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 9 of this paper.